No. 79-1640

In The

Supreme Court of the United States

October Term, 1980

JAMES F. SCHAD, 613 CORPORATION and JULIETTE ANN DI LUCIANO,

Appellants,

vs.

BOROUGH OF MOUNT EPHRAIM,

Appellee.

On Appeal from the Supreme Court of New Jersey

JOINT APPENDIX

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APPEAL DOCKETED APRIL 16, 1980
PROBABLE JURISDICTION NOTED OCTOBER 14, 1980

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DOCKET ENTRIES

A. Camden County Court, Appeal Number 123-77

6-13-78	Notice of Appeal filed.
8-24-78	Transcript filed.
	4 Complaints filed.
	Ordinance: 99-26.J — Did paint a sign on the outside of the building located at 613 Black Horse Pike, Mt. Ephraim, N.J.
	Zoning Section 99-15 B — Using its premises for live nude dancing at 613 Black Horse Pike.
	Zoning Section 99-15 B — Using its premises for live nude dancing at 613 Black Horse Pike.
	Zoning Section 99-15 B — Using its premises for live nude dancing at 613 Black Horse Pike.
8-28-78	On Transcript — Oral Argument.
	Briefs and Stipulations to be submitted.
	Disposition: Court to take matter under advisement.
	NOTE: James F. Schad does not apply to this appeal. His case was dismissed below.
10-31-78	Disposition: Order received and filed 10-30-78 — Judge Deighan:

Docket Entries

Dennis C. Faven — Ord. 99-26.J — Convictions reversed.

613 Corp., James F. Schad and Juliette Ann Di Luciano — Zoning Section 99-15 B — Conviction affirmed. Fine of $100.00 each for a total of $300.00 (paid to Office of County Clerk on 10-27-78). Plus $6.00 County Court Costs (not paid as of 10-30-78) (No Municipal Court Costs — none were imposed below.)

11-3-78 ORDER

THIS MATTER being opened to the Court by Levy & Robertson, Esquires, Lewis H. Robertson, Esquire, appearing, attorneys for defendants, and in the presence of Arnold N. Fishman, Esquire, Prosecutor for the Municipal Court of the Borough of Mount Ephraim, and the Court having considered the stipulations, memoranda, as well as the arguments of counsel, and good cause having been shown;

IT IS on this 30th day of October, 1978, ORDERED that the conviction of the defendant Dennis C. Faven, for a violation of Ordinance number 99.2.j of the Ordinances of the Borough of Mount Ephraim be and the same is hereby reversed; and

IT IS further ORDERED that the convictions of the defendants, 613 Corp., James F. Schad, and Juliette Ann Di Luciano, for a violation of Section 99-15B of the Zoning Ordinance of the

Borough of Mount Ephraim be and the same is hereby affirmed, and each of the defendants are fined the amount of One Hundred ($100.00) Dollars, for a total of Three ($300.00) Hundred Dollars in fines, plus costs in both the Municipal and County Courts.

s/ NEIL DEIGHAN, JR., J.C.C.

11-27-78	Copy of Notice of Appeal to Appellate Division filed.
4-14-80	Notice of Appeal to the Supreme Court of the United States filed.

B. Superior Court of New Jersey, Appellate Division

11-24-78	Notice of Appeal filed.
3-1-79	Appellant brief received.
3-6-79	Transcript received.
4-16-79	Respondent brief received.
4-19-79	Reply brief on behalf of appellant received.
6-8-79	Letter communication. Re: Additional citations (appellant) received.
7-24-79	Date submitted to Court.
10-9-79	Date argued.

Docket Entries

10-17-79	Date decided.
11-5-79	Notice of Petition for Certification to Appellate Division.
11-5-79	Notice of Appeal to Supreme Court of New Jersey.

C. Supreme Court of New Jersey

11-5-79	Notice of Petition for Certification.
11-8-79	Notice of Appeal to Supreme Court of New Jersey.
11-15-79	Petition for Certification.
11-15-79	Appellate Division briefs received.
12-3-79	Appellate Division brief received.
12-3-79	Motion to Dismiss Appeal filed.
12-14-79	Letter Memorandum in Opposition to Motion to Dismiss Appeal received.
12-15-79	Respondent's brief filed.
1-18-80	Order dismissing appeal filed.
1-18-80	Order dismissing Motion to Dismiss Appeal as Moot filed.
1-18-80	Order denying Certification filed.
4-11-80	Notice of Appeal to United States Supreme Court filed.

NOTE

According to Rules of the Supreme Court, Rule 30.1, the jointly designated pleadings, findings, conclusions, and opinions, the judgment, order or decision in question, and all other parts of the record to which the parties wish to direct the Court's attention have not been reproduced here as they appear in the Appendix to the Jurisdictional Statement of the appellants. The Court is respectfully directed to that Appendix.